

Message Text

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MR. LUERS

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FM SECSTATE WASHDC

TO AMEMBASSY CAIRO IMMEDIATE

C O N F I D E N T I A L STATE 095799

TOSEC 440

FOLLOWING REPEAT STATE 095799 ACTION JERUSALEM 09 MAY 1974.

QUOTE:

C O N F I D E N T I A L STATE 095799

TOSEC 440

SECRETARY'S PARTY FOR SISCO, ATHERTON AND MAW

FOLLOWING REPEAT CAIRO 2649 ACTION SECSTATE INFO
LONDON SECDEF JCS CINCUSNAVEUR USCINCEUR COMSIXFLT
26 APR.

QUOTE

C O N F I D E N T I A L CAIRO 2649

E.O. 11652: GDS

TAGS: MARR EG

SUBJ: SUEZ CANAL CLEARANCE AGREEMENT

REF: STATE 71363; CAIRO 2648

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FOLLOWING IS TEXT OF GOE REPLY SIGNED BY FOREIGN MINISTER

FAHMY TO OUR EARLIER NOTE SETTING
FORTH
PROPOSED SUEZ
CANAL CLEARANCE AGREEMENT: QUOTE

CAIRO, APRIL 25, 1974

MR. AMBASSADOR,

I HAVE THE HONOUR TO ACKNOWLEDGE RECEIPT OF YOUR
EXCELLENCY'S LETTER DATED 13TH OF APRIL 1974 REGARDING
THE PROPOSED ASSISTANCE BY THE UNITED STATES GOVERNEMENT
IS THE CLEARANCE OF MINES AND UNEXPLODED ORDNANCE FROM
THE SUEZ CANAL.

THE GOVERNMENT OF THE ARAB REPUBLIC OF EGYPT, WHILST
WELCOMING THE ASSISTANCE PROPOSED BY THE UNITED STATES,
NOTES WITH APPRECIATION THAT MEMBERS OF THE FORCE WILL
RESPECT THE LAWS, CUSTOMS AND TRADITIONS OF THE ARAB
REPUBLIC OF EGYPT, THAT THEY WILL ABSTAIN FROM ACTIVITY
INCONSISTENT WITH THE SPIRIT OF THESE AGREEMENTS, AND THAT
THE GOVERNMENT OF THE UNITED STATES SHALL TAKE NECESSARY
MEASURES TO THAT END.

THE GOVERNMENT OF THE ARAB REPUBLIC OF EGYPT WISHES,
FURTHERMORE, TO SIGNIFY ITS UNDERSTANDING AS TO SOME OF
THE POINTS RAISED IN THE AFORMENTIONED LETTER:

1. DESIROUS TO ENSURE THE SAFETY OF THE AMERICAN
FORCE AND ITS MEMBERS WHILE CARRYING OUT THEIR ACTIVITIES
IN EGYPT, THE GOVERNMENT OF THE ARAB REPUBLIC OF EGYPT
SHALL SPARE NO EFFORT, AS FAR AS POSSIBLE, IN PROVIDING
ASSISTANCE FOR THE SAFETY OF THE FORCE IN CONFORMITY WITH
THE REGULATION ISSUED BY THE EGYPTIAN AUTHORITITES.

2. THE GOVERNMENTS OF THE ARAB REPUBLIC OF EGYPT AND
OF THE UNITED STATES OF AMERICAN WAIVE ANY AND ALL CLAIMS
AGAINST EACH OTHER FOR DAMAGE TO PROPERTY, OR FOR DEATH
OR INJURY TO ANY MEMBER OF EITHER PARTY IN THE COURSE
OF HIS ACTIVITIES IN THE CLEARANCE OF THE SUEZ CANAL, OR
BY ANY OTHER ACT OR COMMISSION FOR WHICH EITHER OR
THE PARTIES IS LEGALLY RESPONSIBLE.

3. THE GOVERNMENT OF THE ARAB REPUBLIC OF EGYPT,
WHILE RECOGNIZING THE FREEDOM OF ENTRY AND DEPARTURE AS
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REFERRED TO IN SUBPARAGRAPH "A" AND "B" OF PARAGRAPH "5"
OF THE ABOVE MENTIONED LETTER, WISHES TO STRESS THE
FOLLOWING:

A. PRIOR AUTHORIZATION IS NECESSARY FOR ENTRY AND
DEPARTURE OF VESSELS AND AIRCRAFTS ASSIGNED TO OR SUPPORTING
THE FORCE, TO AND FROM PORTS, AIRFIELDLS AND EGYPTIAN
TERRITORIAL WATERS--IN ACCORDANCE WITH THE CURRENT
PROCEDURE.

B. FREEDOM OF ENTRY AND DEPARTURE IS RECOGNIZED TO THE MEMBERS OF THE FORCE, IN ACCORDANCE WITH ARRANGEMENTS TO BE AGREED UPON WITH THE EGYPTIAN COMPETENT AUTHORITIES.

4. THE GOVERNMENT OF THE ARAB REPUBLIC OF EGYPT AGREES TO GRANT IMMUNITY FROM CRIMINAL JURISDICTION TO THE MEMBERS OF THE FORCES AS PROVIDED FOR IN YOUR LETTER. HOWEVER THE GOVERNMENT OF THE ARAB REPUBLIC OF EGYPT RESERVES IT POSITIONS TO UNDERTAKE THE FOLLOWING:

A. ON THE EVENT OF VIOLATIONS TO EGYPTIAN LAWS OR REGULATIONS BY A MEMBER OF THE FORCE, EGYPTIAN AUTHORITIES MAY TAKE HIM INTO CUSTODY WITHOUT SUBJECTING HIM TO ORDINARY ROUTINE OF ARREST. IN SUCH A CASE EGYPTIAN AUTHORITIES SHALL DELIVER THE OFFENDER IMMEDIATELY TO THE NEAREST AUTHORITY REPRESENTING THE FORCE.

B. WHEN A MEMBER OF THE FORCE IS TAKEN INTO CUSTODY, EGYPTIAN AUTHORITIES MAY UNDERTAKE A PRELIMINARY INTERROGATION.

C. WHILE HANDING OVER THE OFFENDER, EGYPTIAN AUTHORITIES SHALL INFORM THE COMMAND OF THE FORCE OF THE CHARGE SUSTAINED AGAINST HIM TOGETHER WITH A COPY OF THE PRELIMINARY INTERROGATION.

D. THE COMMAND OF THE FORCE SHALL CARRY OUT A DETAILED INVESTIGATION WITH THE OFFENDER AND SHALL DELIVER A COPY OF THE INQUEST TO THE EGYPTIAN COMPETENT AUTHORITIES.

E. THE COMMAND OF THE FORCE AND THE EGYPTIAN AUTHORITIES SHALL ASSIST EACH OTHER IN CARRYING OUT ALL NECESSARY INVESTIGATION CONCERNING OFFENCES COMMITTED BY A MEMBER OF THE FORCE INCLUDING PRODUCING WITNESSES, COLLECTING AND PRESENTING EVIDENCE, SEIZING AND HANDING OVER ITEMS CONNECTED WITH THE OFFENCE.

5. MEMBERS OF THE FORCE SHALL NOT BE SUBJECT TO THE CIVIL JURISDICTION OF EGYPTIAN COURTS IN MATTERS RELATED
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TO THE CARRYING OUT OF THEIR OFFICIAL ACTIVITIES.

6. MEMBERS OF THE FORCE MAY WEAR THE UNIFORMS AND INSIGNIAS OF THE UNITED STATES ARMED FORCES WHEN WITHIN THE OPERATION ZONES. OUTSIDE THESE AREAS, THEY WILL WEAR CIVILIAN CLOTHES.

7. ALL MEMBERS OF THE FORCE SHALL BE FURNISHED WITH APPROPRIATE IDENTIFICATION CARDS ISSUED BY EGYPTIAN COMPETENT AUTHORITIES. SUCH CARDS SHALL BE PRODUCED UPON DEMAND, TO THE AUTHORITIES OF THE ARAB REPUBLIC OF EGYPT.

8. THE TERM " MEMBER OF TH
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